UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,456	02/06/2006	Benoit De Boursetty	P1933US	6853

8968   7590   07/06/2009
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EXAMINER
YOUSSEF, ADEL Y

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
07/06/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/539,456	DE BOURSETTY ET AL.
	Examiner	Art Unit
	ADEL YOUSSEF	2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 June 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-9 and 11-21* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-3,5-9 and 11-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *06/17/2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 20 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The presented specification does not disclose "software product" and "a memory".

Appropriate correction or explanation is hereby respectfully requested in order to overcome the rejection.

Specification objection

2.   The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The presented specification does not disclose "software product". Is this the claimed "software component"?

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3, 5-9, 11-21 are rejected under 35 U.S.C. 103(a) as being anticipated

over Nachman et al   (PGPUB - No: US 2001/0027474) in view of Streble et al (PGPUB

No: 20040205119).

Regarding claim 1, Nachman teaches a method for communication between a first unit

and a second unit via a telecommunications network, wherein the first unit comprises a

first family of applications and a second family of applications, and the first unit(devices

#101-103 computers, see figure 1) imposes a limitation (challenge rolls to the request to

get throw (popup massage)) on the communications having communication capacities

on the network of the applications of the first family, said limitation being detectable by

the second unit for determining whether a communication from the first unit is

originated an application of the first family or an application of the second family,

(paragraphs 12, 31, teach communication between users and servers) the method

comprising the steps of:

/a2/ obtaining, by a confidence component belonging to the second family (WAP

browser # 200, see figure 2) of applications, a statement of said question (popup

message), said obtaining comprising the following sub-steps:

/a2-1/ indicating from said application of the first family to the confidence component an

address of the second unit and a request to be submitted in order to obtain the

statement of the question from the second unit (Paragraph 36, 39, Nachman teaches

that java applet indicates an address of the web server (see figures 5A, 5B) with the

applications a statement of question (popup massage) to user of the first unite (devices

#101-103 computers, and mobile #106 see figure1) in the context of an application of

the first family (Java applets), see figures 5 and 6);

/a2-2/ transmitting the request from the confidence component to the indicated address

via the network (paragraphs 4, 37 Nachman teaches that WAP browser's locally stored

identification information #501 such as the current IP address used by the browsing

computer, see figure 4);

/a2-3/ retrieving the statement of the question at the confidence component (WAP

browser # 200, see figure 2) from a response to the request returned by the second unit

(web server # 206, figure 2) via the network (paragraph 32, see figure 2);

/b/ presenting the question by the confidence component (WAP browser # 200, see

figure 2) via a user interface and capturing a response from the user by the confidence

component (paragraph 6); and

/c/ for at least one type of response from the user, transmitting from the confidence

component (WAP browser # 200, see figure 2) to the second unit, via the network, at

least one message identifying the question (user send a pop-up message) presented

and indicating the response captured, said message being transmitted without the

limitation imposed under conditions inaccessible to the applications of the first family

(Java applet is started # 500. The Java applet retrieves the web or WAP browser's

locally stored identification information #501, see figure 5), (paragraphs 31, 32, 41, and

42), such that for the type of response reflecting a refusal of the user (credit card

transactions) in relation to the question posed (pop-up message), the confidence

component does not transmit the message of step/c/to the second unit. (web server #

104, figure 1), (paragraphs 41, 42 and 29)

except for /a1/ executing in the first unit an application of the first family which was not

downloaded from the second unit, the execution comprising posing a question to a

user of the first unit . However Streble et al. teach executing in the first unit an

application of the first family ("Java script") which was not downloaded from the second

unit ("web server" (#200)), the execution comprising posing a question to a user of the

first unit ("Web browser") (paragraphs 37,see figures 3, 5, teach a question to a user of

the Web browser to select and download particular file pressing the "Enter key" on the

user's keyboard and the user can initiate the content request by selecting a "Web link"

corresponding to an URL associated with a particular file, which results in the Web

browser sending a request for the particular file).

Therefore, it would have been obvious to one of ordinary skills in the art at the time of

invention to modify the method of Nachman to include posing a question to a user of the

first unit as taught by Streble in order to provide the Web browser performs the image

request, the content development data is passed along with the image request to the

analysis server where the tracker application is located., thereby improve more security

for the user.

Regarding claim 2, Nachman further teaches the method as claimed in claim 1,

wherein the question posed is identified in the message of step /c/ by including the

question statement in said message(paragraphs 31, 32, 41, and 42 Nachman teaches

that response from the user, transmitting from confidence (WAP browser # 200, see

figure 2) to the second unit (web server # 206, figure 2) over the network, user send a

pop-up message (message identifying the question).

Regarding claim 3, Nachman further teaches the method as claimed in claim 1,

wherein, for at least one other type of response reflecting a refusal of the user in relation

to the question posed, the confidence component indicates the refusal to said

application of the first family (paragraphs 41, 42, Nachman further teaches that when

the user send pop-up message (message question) with marks of the recipients and

clicks compose message if the other user excepted and if the user decline the message

the refusal will go back to the sender (credit card transactions), the confidence

component (WAP browser # 200, see figure 2) indicates the refusal to said application

of the (Java applet is started # 500. The Java applet retrieves the web or WAP

browser's locally stored identification information #501, see figure 5)).

Regarding claim 4, Canceled.

Regarding claim 5, Nachman further teaches the method as claimed in claim 1, further

comprising the step of validating the response of the user at the second unit on receipt

of the message transmitted in step /c/ by making sure that said message has actually

been transmitted under conditions inaccessible to the applications of the first family

(paragraph 02,13, 27, 31, 32 and 34, Nachman teaches the user response is validating

at the web server, receipt of pushed content and transacting of secure e-commerce on

the same web page, message been transmitted to Java applet, see figures2 and 6).

Regarding claim 6, Nachman teaches the method as claimed in claim 5, further

comprising the step of returning, following validation of the user's response, a response

message from the second unit to the confidence component via the network (paragraph

12, 27 and 31, Nachman teaches that a response message from the web server to

WAP, see figures 1,2, and 3).

Regarding claim 7, Nachman further teaches the method as claimed in claim 6,

wherein the confidence component indicates to said application of the first family the

content of the response message received from the second unit (paragraph 29, 33, 34

and 37, Nachman teaches the application of the applet the content of the response

message received from the web server, see figures 2 and 4).

Regarding claim 8, Nachman further teaches the method as claimed in claim 1,

wherein the statement of the question is indicated directly to the confidence component

in step /a/ by said application of the first family (Paragraphs 6, 28, 29, and 16, Nachman

teaches that second family (WAP browser # 200, see figure 2) of applications a

statement of question (popup) to user of the first unite (devices #101-103 computers,

and mobile #106 see figure1) in the context of an application of the first family (Java

applets, see figures 5 and 6).

Regarding claim 9, Nachman further teaches the method as claimed in claim 8,

wherein said application of the first family indicates an address of the second unit with

the statement of the question in step /a/ (Paragraphs 4, 36-39, Nachman teaches that

java applet indicates an address of the web server (see figures 5A, 5B) with the

applications a statement of question (popup massage) to user of the first unit (devices

#101-103 computers, and mobile #106 see figure1) in the context of an application of

the first family (Java applets), see figures 5 and 6).

Regarding claim 10, Canceled.

Regarding claim 11, Nachman further teaches the method as claimed in claim 10,

wherein the request is transmitted by the confidence component in sub-step /a2/ under

conditions accessible to the applications of the first family (paragraphs 13, 25, 31, and

32, Nachman teaches the http request is transmitted by the WAP or web browser and

Java applet, an Active-X control or any other executable content that does not require a

dedicated download and installation process, see figure 2).

Regarding claim 12, Nachman further teaches the method as claimed in claim 10,

wherein the response to the request returned by the second unit further includes a

reference, said reference being stored by the confidence component and then inserted

into the message transmitted in step /c/ to identify the question posed (paragraph 32,

Nachman teaches the pop-up message (question) at the WAP component from a

response to the request returned by the second unit (web server) via the network, (see

figure 2) and WAP browser's locally stored identification information #501 such as the

current IP address used by the browsing computer, see figure 4)

Regarding claim 13, Nachman further teaches the method as claimed in claim 1,

wherein said application of the first family (java applet) is a program written in Java

language, and the confidence component is incorporated in a virtual Java machine with

which the first unit (WAP and applet) is provided (paragraphs 34, 42, see figures 2 and

6).

Regarding claim 14, Nachman teaches the method as claimed in claim 1, wherein the

applications of the second family have the capacity to access, via the network, at least

one URL associated with the second unit and inaccessible to the applications of the first

family (paragraphs 4, 38 and 42, Nachman teaches the server (second unit) loads the

applicable URL of the message into the applicable window of WAP browser (second

family) to the appropriate recipient).

Regarding claim 15, Nachman further teaches the method as claimed in claim 1,

wherein the applications of the first family (Java applet) are not capable of accessing

the network (Paragraphs 33, 34 and 37, Java applet is used instead of an auto

refreshing HTML page, see figures 2,5 and 6).

Regarding claim 16, Nachman further teaches the method as claimed in claim 1,

wherein the applications of the first family have the capacity, in a determined transfer

protocol, to access only a single remote site which does not comprise the second unit

(paragraphs04, 13, 31, 34, Nachman teaches that Java applet (first family) transfer http

and WAP to access only a single remote site which does not comprise the web server

(second unit), see figures 2 and 6).

Regarding claim 17, Nachman further teaches the method as claimed in claim 1,

wherein each request originating from an application of the second family transmitted on

the network and destined for the second unit is forced to include a marking associated

with the second family of applications (paragraph 32, 41 and 42, Nachman teaches the

web server (second unit) is forced to include a message marks the details of the

recipients (text, video, audio) associated with the WAP or web browser (second family).

Regarding claim 18, Nachman further teaches the method as claimed in claim 1,

wherein each request originating from an application of the second family transmitted on

the network and destined for the second unit is forced not to include a marking

associated with the first family, said marking being included in at least some of the

requests transmitted on the network and originating from applications of the first family

(paragraph 32, 41 and 42, Nachman teaches the web server (second unit) is forced to

include a message marks the details of the recipients (text, video, audio) associated

with the WAP or web browser (second family), the requests transmitted on the network

and originating from applications of the java applet (first family), see figures 2, 4 and 6).

Regarding claim 19, Nachman further teaches the method as claimed in claim 17,

wherein the requests comprise HTTP requests and the marking is inserted in the

headers of the HTTP requests (paragraphs 31, 38, Nachman teaches the HTTP

requests (see figure 2) and the information can be retrieved from the HTTP headers of

said HTTP request (see figure4)).

Regarding claim 20, Nachman teaches a software product adapted to be stored in

memory of a processor unit of a first unit capable of communicating with a second unit

via a telecommunications network, the first unit comprising a first family of applications

and a second family of applications having communication capacities on the network

extending beyond communication capacities of the applications of the first family,

wherein the confidence component belongs to the second family of applications and

includes instructions to control the following steps in an execution of the component in

the first unit;

/a2/ obtaining a statement of a question to be posed to a user of the first unit in the

context of an execution of an application of the first family; (Paragraphs 6, 16, 28 and

29, Nachman teaches that second family (WAP browser # 200, see figure 2) of

applications a statement of question (popup) to user of the first unite (devices #101-

103 computers, and mobile #106 see figure1) in the context of an application of the first

family (Java applets, see figures 5 and 6). except for /al/ executing in the first unit an

application of the first family which was not downloaded from the second unit, the

execution comprising posing a question to a user of the first unit . However Streble et

al. teach executing in the first unit an application of the first family which was not

downloaded from the second unit, the execution comprising posing a question to a

user of the first unit (paragraphs 37, 41, 44, see figure 3, teach the content

development data that is to be passed to the analysis server, which is the data after the

question mark (?) in the sample HTML image request and an identifier such as "Page

Data" in the present). Therefore, it would have been obvious to one of ordinary skills in

the art at the time of invention to modify the method of Nachman to include posing a

question to a user of the first unit as taught by Streble in order to provide the Web

browser performs the image request, the content development data is passed along

with the image request to the analysis server where the tracker application is located.,

thereby improve more security for the user.

/b/ presenting the question via a user interface and capturing a response from

the user; (paragraph 6, Nachman teaches the pop-up message (question) via a user

interface and capturing a response from user (#101-103,106, see figure1) and

/c/ for at least one type of response from the user, transmitting to the second

unit, via the network, at least one message identifying the question presented and

indicating the response captured, said message being transmitted under conditions

inaccessible to the applications of the first family (paragraphs 31, 32, 41, and 42,

Nachman teaches that response from the user, transmitting from confidence (WAP

browser # 200, see figure 2) to the second unit (web server # 206, figure 2) over the

network, user send a pop-up message (message identifying the question).

Regarding claim 21, Nachman teaches a communications terminal comprising means

for communicating with a remote unit via a telecommunications network and hosting a

first family of applications and a second family of applications having communication

capacities on the network extending beyond communication capacities of the

applications of the first family, wherein the second family of applications comprises a

confidence component including instructions to control the following steps in an

execution of the component:

/a2/ obtaining a statement of a question to be posed to a user of the

communications terminal in the context of an execution of an application of the first

family; (paragraphs 33, 34, 38 and 42, Nachman teaches that Java applets (first family)

to be executed by said web or WAP browser # 200, see figure 2)

/b/ presenting the question via a user interface and capturing a response from

the user; (paragraph 6, Nachman teaches the pop-up message (question) via a user

interface and capturing a response from user (#101-103,106, see figure1) and

/c/ for at least one type of response from the user, transmitting to the remote unit, via

the network, at least one message identifying the question presented and indicating

the response captured, said message being transmitted under conditions inaccessible

to the applications of the first family paragraphs 31, 32, 41, and 42 Nachman teaches

that response from the user, transmitting from confidence (WAP browser # 200, see

figure 2) to the second unit (web server # 206, figure 2) over the network, user send a

pop-up message (message identifying the question) except for /al/ executing in the first

unit an application of the first family which was not downloaded from the second unit,

the execution comprising posing a question to a user of the first unit . However Streble

et al. teach executing in the first unit an application of the first family which was not

downloaded from the second unit, the execution comprising posing a question to a

user of the first unit (paragraphs 37, 41, 44, see figure 3, teach the content

development data that is to be passed to the analysis server, which is the data after the

question mark (?) in the sample HTML image request and an identifier such as "Page

Data" in the present). Therefore, it would have been obvious to one of ordinary skills in

the art at the time of invention to modify the method of Nachman to include posing a

question to a user of the first unit as taught by Streble in order to provide the Web

browser performs the image request, the content development data is passed along

with the image request to the analysis server where the tracker application is located.,

thereby improve more security for the user.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure.

Any response to this Office Action should be **faxed** to (571) 273-8300 or **mailed to:**
    Commissioner for patents
    P.O.Box1450
    Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window

Randolph Building

401 Dulany street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Adel Y. Youssef whose telephone number is 571-270-

3525. The examiner can normally be reached on Monday to Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, ANDERSON MATTHEW can be reached on (571)272-4177.The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ADEL YOUSSEF/

Examiner, Art Unit 2618

/Matthew D. Anderson/
Supervisory Patent Examiner, Art Unit 2618